

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CARMELENE LYNNE WOODS,)	
)	
Plaintiff,)	
)	
v.)	1:15CV763
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of)	
Social Security,)	
)	
Defendant .)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on April 5, 2016, was served on the parties in this action. Plaintiff filed an objection to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. # 17].¹

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a de novo

¹ The document construed as Plaintiff's objection also requests an extension of time to file an action in federal court. [Doc. # 17]. "On Wednesday, April 27, 2016," a case manager from the Court called Plaintiff and confirmed that the filing constituted an objection to the Recommendation. [Doc. # 18]. Although Plaintiff's objection also purports to request an extension of time to file an action in federal court, as explained in the Recommendation, Plaintiff may seek such an extension from the Commissioner as directed in the Denial Notice [Doc. # 11-1 at 13]. [Doc. # 15 at 17].

determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Extension Motion [Doc. # 4] is denied and that the Commissioner's Motion to Dismiss [Doc. # 10], converted by actions of the parties to a motion for summary judgment, is granted, and that this action is dismissed without prejudice to Plaintiff's right to file a new action if she receives an extension of the statute of limitations from the Commissioner. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 9th day of August, 2016.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge